

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, DECEMBER 18, 2007, 7:00 PM

Chair Parsons called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Frautschi, Horton, Mayer, McKenzie, Mercer
Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Assistant Planner Walker (AP), Associate Planner Gill (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

Chair Parsons announced that he would be leaving during the meeting and that Vice Chair Frautschi would become Acting Chair at that time.

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR - None

5. PUBLIC HEARINGS:

5A - PUBLIC HEARING – 2612 Hallmark Drive (Continued from 7/17/07 PC Meeting)

To consider a Single-Family Design Review to construct a new 3,491 square-foot two-story single-family residence on an existing vacant lot that is below the zoning district permitted 3,500 square feet for the site. (Appl. No. 2007-0018)

APN: 045-421-190; ZONING: R-1B (Single-Family Residential)

CEQA Status: Recommended Categorical Exemption per Section 15303

Applicant: Morton Frank, F.A.I.A.

Owners: Ray and Ruby Urbino

Project Planner: Jennifer Walker, (650) 595-7453

At Chair Parsons' request, City Attorney Zafferano outlined the procedure to be followed during the Public Hearings.

AP Walker summarized the staff memorandum, concluding that they identified the hardscape findings as a close call but that did not warrant denial of the project, and recommended adoption of the attached resolution. She added that Cotton Shires had reviewed the project and had provided a letter to staff and the applicant regarding the use of Geofoam in order to raise grades.

Vice Chair Frautschi asked if the applicant was still requesting a Variance to allow the exterior stairwell and deck as mentioned on page 10. AP Walker stated that that language was a typo and should be deleted from the staff report – no Variances were requested. Responding to further questions from Vice Chair Frautschi, AP Walker stated that she was not aware of any other flat roof designs in the area, and that the applicant could provide information on materials to be used for walls and retaining walls. Referring to Minutes of the Code Resource Meeting of 11/29/05, Vice Chair Frautschi stated that he wanted to be sure the architect signed the Minutes and that they become a part of the City's file.

Responding to Commissioner Mercer's questions, AP Walker stated that there would be approximately 40 truck loads of fill brought in, and that she did not believe the Geofoam would reduce the number of truckloads.

Morton Frank, Architect for the project, reviewed the history and changes proposed for the project.

Commissioner McKenzie asked what percentage of the final project plan will be earth fill and what percentage will be foam fill. Mr. Frank responded that it will be very close to replacing 100% of the exported material with Geofoam; they will not be importing any earth. Some cut will be used to fill over the Geofoam but no earth will be imported. 140 yards of cut will be retained on site, plus the Geofoam.

Chair Parsons opened the Public Hearing.

Krista Kuehahackl, Wakefield Drive resident, asked that the Geofoam be researched further because she found through a little research that it is an inert product, meaning that it will not leach out into the ground around and it won't off-gas, but that she also saw conflicting reports.

MOTION: By Vice Chair Frautschi, seconded by Commissioner Mayer, to close the Public Hearing. Motion passed 6/0 by a show of hands.

Commissioners commented as follows:

Commissioner Mercer:

- Concerned regarding grading, fill and bulk.
- Wanted to know more about the artificial product.
- Still concerned about the bulk of the house and the unnecessary hardscape.

Vice Chair Frautschi:

- No provision in landscape irrigation design for bubbler, irrigation, and overgrade of poly tubing for sustaining proposed mitigation Oak and Buckeye trees.
- No changes had been made to project design or site layout since the Commission reviewed the project on 7/17/2007. For the record, he stated that he was not at that meeting, but had reviewed the tapes and was familiar with what was said.
- The door on the back of the garage to a grasscrete parking pad in the back yard is unacceptable. This design element is not found in any other Hallmark setting. Believed it might facilitate future nuisance and environmental issues, specifically vehicle noise uphill to the adjoining property, visual clutter, logistical issues created by tandem parking, which is not permitted by current code, and interfacing with the adjoining open space urban wildland areas and the potential for leaking oil and other petro-chemicals entering the system from this grasscrete area. If the applicant insists on this design element, and since the staff has reaffirmed that the Planning Commission had the authority to permit or not permit parking in the back yard, he could find for incompatibility on Finding A. Eliminate the back garage door, the grasscrete area and landscape this area and compatibility returns.
- Re. Finding B, was prepared to find for the bulk element of this finding though he believed the project could have gone further in addressing this issue. However, the total amount of fill for the site had not been reduced, and this remained an issue for him in affirmation of Finding B.
- Re. Finding G, though the proposed use of Geofoam purports to reduce the lateral load and need for soil fill, they were given no verifiable figures on what the weight reduction would amount to and how this translates into reduced haul truckloads of fill or not. Additionally, they were not specifically told what areas of the proposed site and/or foundation will contain the Geofoam and who will install the product. He had uncertainties and unanswered questions regarding the amount, safety, potential hazard and advisability of using Geofoam in a residential situation next to other residents, open space and in an urban-wildland-interface area. Finally, though the producers of Geofoam contend that it is not biodegradable once it is installed below the earth, there is no clear picture of the effects of chemical additives assisting the Geofoam's fire retardant, insect and subterranean mold growth resistance. And, there is mention in the literature that if PVC pipes come in contact with the product it can degrade but it doesn't say how. Even if determination is made that this product is safe for use here, he believed that a record should be made when the house deed is registered that clearly records the amount and location of the Geofoam's use on the site so that potential future owners of the property can make informed decisions.
- Re. the hardscape issue and Finding B, he concurred that it is a close call. The recent total of 4,213 sq.ft. or 33% of the property is more than the initial hardscape totals presented in 6/19/07 application and the

continued session of 7/17/07 and he continued to believe the aggregate hardscape could and should be reduced further.

- Re. the Conditions of Project Approval:

- o Questioned if Condition 7 on Page 2 was necessary.

- o Recommending changing the wording of Condition 9 on Page 2 to read "the plans submitted for grading and building permits shall clearly indicate that no space beneath the ground level decks at the rear of the home exceed 6-1/2 feet in height."

- o Suggested adding the following at the end of Condition 11 on Page 3: "Prior to cut and fill hauling, a letter will be mailed to all residents along the proposed hauling route clarifying and informing the approximate dates of hauling, specific hauling route to be used and proposed pre- and post-staging areas for hauling."

- Still having problems with Finding A and a few elements of Finding B

Commissioner Horton:

- Had used Geofoam in a commercial application.

- The amount of hardscape is not excessive from a percentage standpoint.

- Wanted to be sure the owner of this home understood that in order to have that amount of hardscape the runoff of the water needs to be mitigated and there will be an increase in the cost of drainage that will be determined at plan check.

- The design coordinates with the neighborhood.

- Agreed with Vice Chair Frautschi that the parking area is incompatible and shouldn't be there. She sees it as a nuisance to the uphill neighbor.

- No issue with the amount of paving in front of the house.

Commissioner Mayer:

- Always liked the design of the house and thought it was unfortunate that the architect and applicant have not answered some of the objections of the Commissioners.

- Felt it would have been possible to have stepped down the home without increasing the footprint of the house.

- Compatibility with the neighborhood was not an issue.

- Agreed that the third parking space should be eliminated; if they want a third parking place they should build a three-car garage and reduce the square footage in the home.

- Could make the findings with those reservations.

Commissioner McKenzie:

- Found this to be an attractive design that integrates well and fits the surrounding landscape.

- Objections to the overall project centered on the pass-through, open, exposed carport on grasscrete behind the garage. Because of that element he had difficulty making Finding A from the standpoint of consistency and disruption of the view of neighbors.

- Could not make Finding B primarily because they had not addressed the hardscape any further from the last time it was reviewed, and one of the issues affecting hardscape is the carport.

- Could not make Finding C, again because of the carport; he thought it was a safety hazard, an accident waiting to happen. It bothered him that he saw no attempt to change it after what he thought was a very clear discussion of the Commission's dissatisfaction with the carport at the previous meetings. He thought the hardscape could be reduced partially by removal of the carport concept and by reducing the decking on the lower level.

Chair Parsons:

- Did not understand why they could not step down the hillside without extending the footprint.

- Use of Geofoam needs to be resolved by experts

- The hardscape issue has not been resolved

- The need to build a back parking pad is an area that does not need to be built and the amount of fill would be reduced if they did not want to park something back there.

- Retaining walls could have been removed, landscaping added up against the house and the lower deck could be a wood deck, which would reduce the hardscape and the concrete retaining walls. The back decks could also have been done differently.

- No problem with the parking in the front.

- It appeared to him that the owners wanted a 3-car garage and they didn't want to take the square footage out of the house, so put a carport in the back. That is not compatible with the neighborhood. Concurred with Vice Chair Frautschi's comments on this issue.

- Could approve this project with some reduction in hardscape, a condition on the fill work, and if the rear garage door/parking pad were removed.

CDD de Melo asked for a consensus from the Commission on the parking pad issue and for the applicant's response. Chair Parsons responded that they have a consensus that the parking pad and the garage door are not something they would approve.

Commissioner Mercer commented that she would not object if they took some of the square footage out of their house and built a legitimate 3-car garage.

Discussion ensued and the applicant was asked for his response.

Mr. Frank returned to the podium. He reminded the Commission that the owner owns essentially double that amount of land and so in fact the hardscape is 17%, not 33%, adding that they know there is not going to be an iota of impervious material on the adjoining portion of his land. With regard to the third parking space, he pointed out that the 200 sq.ft. grasscrete third parking space was included in the hardscape total, even though grasscrete is considered to be softscape. He added that the owner had instructed him to inform the Commission that they are willing to delete that item.

Chair Parsons stated that if they eliminate the garage door and remove the area behind it the amount of fill would be reduced and, since it was included in the hardscape, the hardscape square footage would be reduced. It would also reduce the number of retaining walls required and probably simplify the drainage on that side of the house somewhat because they would not have to have that extra set of stairs going down to the decks.

Commissioner Mayer asked if it is a correct assumption that if they remove the car pad there would be no fill there, and asked what would replace it.

Mr. Frank stated that it would be identical to what it is now; it would be grassed over and continue to have the lattice work to create some shade, and that there was no mention on his part about deleting any stairs.

Commissioner Mercer stated that that does not do anything to reduce the fill. She thought the applicant would want to go back and redesign a proper third car garage and reconsider the arrangement of the space in the house, but that was apparently not the case. It would still be a close call on bulk, hardscape and fill.

Commissioner Frautschi concurred that there are still a lot of fill issues and was concerned about the runoff from hardscape. He did not buy Mr. Frank's premise that owning the property next door would change the percentage of hardscape because he did not believe they could do anything with that property, except maintain it. He concluded that he could continue the project with the understanding that when it comes back there is at least an attempt to reduce the hardscape, that the parking pad will be removed, and an explanation of the Geofoam proposal. He wanted to be assured by Cotton and Shires about what will happen to the stuff on top of it if it cracks due to an earthquake.

Commissioner Horton commented that a whole drainage system for the hardscape needs to be engineered, adding that she would not build her house on top of the Geofoam but that is the applicant's choice.

MOTION: By Commissioner Horton, with amendments suggested by Chair Parsons and CDD de Melo, seconded by Commissioner Mayer, to adopt the Resolution approving a Single-Family Design Review for 2612 Hallmark Drive (Appl. No. 2007-0018), with added conditions as follows: 1) the rear garage door and parking pad be removed from the design; 2) a complete drainage system be engineered and installed to appropriately capture and slowly release the runoff from the hardscape; 3) the final plans include precise information as to the amount of Geofoam used as fill, the amount of dirt fill, and that we receive full specifications on the Geofoam and the environmental impact; 4) if the Geofoam cannot be used the project would come back to the Commission; 5) the Geofoam construction aspect is subject to approval by Cotton Shires and Public Works; 5) the inclusion of the Conditions suggested by Vice Chair Frautschi regarding notification of hauling activities and the height of space beneath ground level decks.

Chair Parsons clarified that with this motion there would be no requirement to come back with reduced hardscape other than the parking pad.

Ayes: Horton, Mayer, McKenzie, Frautschi, Parsons
Noes: Mercer

Motion passed 5/1

CDD de Melo clarified that the revised resolution will be returned to the January 15th meeting. The appeal period would start 10 calendar days after that meeting.

Commissioner Mercer asked staff if the City has criteria where we look at the toxicity of products in the building process and their potential to run off into watershed and, in this case, Water Dog Lake. CDD deMelo responded that before any building permit would be issued for this project they will become the experts on Geofoam to make sure that this is an acceptable material for this site in a residential setting. If they are not comfortable letting an approval on the building permit because of the Geofoam, this project would need to come back to the Commission because an alternative type of fill would need to be part of this project. A permit will not be issued until everyone is comfortable on the Geofoam issue.

Chair Parsons declared a 5-minutes recess. He left the meeting and Vice Chair Frautschi assumed chairmanship of the meeting.

5B - PUBLIC HEARING – 2445 Coronet Boulevard

To consider a request for Single-Family Design Review of an 833 square foot addition to the existing 2,597 square foot single-family residence for a total of 3,430 square feet that is below the zoning district permitted 3,500 square feet for the site.

(Appl. No. 2007-0037)

APN: 044-271-230; Zoned: R-1B (Single-Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicants: Li-Sheng Fu, LHA Architects

Owners: Tony & Alice Governale

Project Planner: Rob Gill, (650) 598-4204

AP Gill apologized that staff had not been able to obtain a PDF file for the project but that plans were available. He noted that the architect had confirmed with the owner that the storage area had heat and electricity but that the heat will be removed once they have reduced the floor-to-ceiling height as part of the construction project. A condition of approval will be included requiring that the heat be removed. He summarized the staff report, recommending approval subject to the conditions of approval attached. Responding to Commissioner Mercer's question, he stated that the original permit showed a crawl space but did not mention a storage area.

Li-Sheng Fu, Architect for the project, explained changes they had made to their plans to make the building look smaller. Regarding the storage space, the owner will do whatever the city requires.

Acting Chair Frautschi opened the Public Hearing. No one came forward to speak.

MOTION: Commissioner Horton, seconded by Commissioner Mayer to close the Public Hearing. Motion passed 5/0/1 by a show of hands.

Commissioners McKenzie, Mayer and Horton could make all of the finding, had no qualms about the project and thought it looked like a good collaboration between the applicant and staff.

Commissioner Mercer could make all the findings and thought it was a nice addition to the house but had the following concerns:

- The possibility that the storage space will suddenly become an extra room and the house will be bigger than would normally be permitted on the lot. She definitely wants to see the heating removed and was concerned about the fact that it already has a door and a window. She would like her fellow Commissioners' suggestions on how to address this concern.
- Would like to see additional foundation landscaping and perhaps a tree that will grow to 20' to help mitigate the additional bulk of the 2nd floor. AP Gill agreed to work with the applicant on this.

Because of the dual request for a final landscape plan and replacement of excessive hardscape in Finding F, Acting Chair Frautschi said he would prefer that a final review and approval of the landscape plan come through the Planning Commission instead of staff approval. He added that he does not expect to see a plan for the back yard, but a plan that addresses the front yard in reducing the hardscape and incorporates the issues mentioned by Commissioner Mercer. He asked that the last word in the first paragraph under finding F in the Resolution on page 3 be changed to "following."

AP Gill clarified for Commissioner Mayer that staff will work with the applicant on the hardscape for the off-street parking area.

After a question from Commissioner McKenzie, it was determined that the total square feet for this project as proposed needs to be corrected in the Resolution to show 3430 rather than 2816.

MOTION: By Commissioner Horton, seconded by Commissioner McKenzie, to adopt the Resolution approving a Single-Family Design Review for 2445 Coronet Boulevard (Appl. No. 2007-0037) with attached conditions of project approval.

Ayes: Horton, McKenzie, Mayer, Mercer, Frautschi

Noes: None

Absent: Parsons

Motion passed 5/0/1

Vice Chair Frautschi stated that this item may be appealed to the City Council within 10 calendar days.

5C - PUBLIC HEARING - 3414 Lodge Drive

To consider a request for Single-Family Design Review of a 696-square-foot addition (including 240 square feet on the ground floor and 456 square feet on the second story) to an existing 2,803-square-foot single-story house. The resulting total of 3,499 square feet is below the maximum of 3,500 square feet.

(Appl. No. PA 2007-0043)

APN 043-114-160; Zoned R-1B (Single-family residential)

CEQA Status: Categorical Exemption per Section 15301

Applicant/Owner: Marshall and Marianne Rotterman

Project Planner: Leslie Hopper (650) 595-7417

CDD de Melo summarized the staff report, recommending approval. He noted that staff had received an email that day from a property owner that had a concern about the project indicating that he thought the proposed project was too large. Staff explained to him that it met the floor area parameters for the lot but he wanted to go on record that he had a concern about the project.

Don Paisonis, representing the homeowner, explained the project plans and mentioned that the existing landscaping around the two sides and in the rear is very mature and the evergreen trees will provide nice greening.

Responding to Acting Chair Frautschi's questions, Mr. Paisonis stated that: 1) the sewing room was not original to the house and that it could be considered a large walk-in closet that is used for the homeowner's craft projects. 2) The window into the attic area is essential because it provides some balance as you are facing the house. He felt they would be doing a disservice to the design to take the window out.

Vice Chair Frautschi opened the Public Hearing. No one came forward to speak.

MOTION: By Commissioner Horton, seconded by Commissioner Mayer, to close the Public Hearing. Motion passed 5/0/1 by a show of hands.

Commissioners commented as follows:

Commissioner Mayer: Really liked the project – it turned a boring and dull-looking structure and turned it into something engaging to look at. He was pleased that the front yard is going to attain a complete re-landscaping to mitigate whatever bulk they are left with. Could make all the findings.

Commissioner McKenzie: Commended applicant and architect on the well-balanced design, fits very well into the neighborhood and was particularly impressed with the neighborhood outreach. Nice blend of old and new and they did a fine job of playing down the potential of the mass of the front of the house. Could make all findings.

Commissioner Horton: Liked the design. Some concern about the attic space but felt that, since the house is so long, putting something on top of it would look silly.

Commissioner Mercer: Joined rest of Commissioners in complimenting the architect and applicant and asked for permission to use the house as an example in their new Design Guidelines. Concurred with Commissioner Horton that they are always concerned about the extra spaces, but since there had been no history of abuse on this property she could approve it and could make all of the findings.

Acting Chair Frautschi: Felt that the attic balanced out the house very nicely and thanked the applicant for the thorough neighborhood outreach. The colors of the roofing, windows and trim are really attractive but suggested that they check the spelling of the color "brunt umber" before they start painting. He also suggested that they might want to rethink the pathway of the crushed granite leading to the front entry and the flagstone stepping stones.

MOTION: By Commissioner McKenzie, seconded by Commissioner Mercer, to adopt the Resolution approving a Single-Family Design Review for 3414 Lodge Drive (Appl. No. PA 2007-0043) and attached conditions of approval.

Ayes: McKenzie, Mercer, Horton, Mayer, Frautschi
Noes: None
Absent: Parsons

Motion passed 5/0/1

Acting Chair Frautschi stated that this item may be appealed to the City Council within 10 calendar days.

6. STUDY SESSION:

6A –STUDY SESSION - 2708 Monte Cresta Drive

To consider a Single-Family Design Review request to construct a new 2,081 square-foot single-family residence, which is the maximum zoning district permitted floor area for this site. The project also includes two variance requests: one to allow retaining walls (0-19 ½ feet in height) within the front yard setback area that exceed the maximum permitted six-foot height, and a second to allow an exterior stairwell to extend more than six feet into the 20-foot front yard setback. (Appl. No. 2007-0034)

ANP: 043-311-850; ZONING: R-1B (Single-Family Residential)

CEQA Status: Recommended Categorical Exemption per Section 15303

Applicant: Kent Khorrami, Alvand Construction

Owner: Gupreet Sachdeva

Project Planner: Jennifer Walker, (650) 595-7453

Acting Chair Frautschi asked staff to explain the difference between a Study Session and a Public Hearing. AP Walker explained that it was advertised as a Public Hearing, but subsequent to that notification, there were some grading information inconsistencies that were discovered between the application materials and the current grading drainage and erosion control plan. Staff is recommending that the project be continued and that they use the time to review the project as a study session item and allow both the public, staff and Commission to provide feedback and clear direction on where to go with project revisions. AP Walker then summarized the staff memorandum and asked for questions from the Commission.

Commissioner Mayer asked for a definition of a "dormant landslide." AP Walker responded that the zone is identified as dormant landslide but their analysis of the San Juan Hills Plan and hazards map says that these hazards are ones that can be mitigated. The applicant has now chosen to relocate the whole home further away from that hazard, so that this does not affect the landslide area and the landslide area in effect does not affect this area. She added that there are a series of reviews from Cotton Shires, the applicant's current

geotechnical engineer as well as the previous engineer, all saying that this home can be developed – that the hazards that any sort of shallow landslide presents have been mitigated.

Responding to Acting Chair Frautschi's question, AP Walker stated that she believed that 35' is the closest retaining wall and that the house is even further than 35' from the mapped PD zone.

Gurpreet Sachdeva, applicant, thanked the Planning Department for support over the last few years and gave a quick overview of the project, noting that they had condensed three lots into two adjacent properties, and that they had tried to incorporate previous comments from the Commission. Their current goal was to solicit feedback and advice.

Shawn Rider, project designer, stated they hope to learn what the Commission is looking for in terms of site grading and massing and that they would like to present a home that is appealing to the neighborhood as well as functional. They are open to making adjustments that would reduce the grading of the site, if that includes making the driveway steeper, raising the ceiling height of the lower floor or reducing the side cut on the north side, and asked for direction and feedback.

Acting Chair Frautschi opened the Study Session to members of the public.

Warren Gibson, resident of E. Laurel Creek, noted that he had sent an email to the Commission and did not plan to go over all of the items discussed in the email, adding that he felt "this is a project from hell." He did not believe the ceiling is any higher than 18' and asked that the Commission think about what a wall opening up 45 degrees to 19-1/2 feet will look like in this neighborhood. He calculated that by raising the driveway to the max you get about 68 yards and by eliminating the side patio you get another 100 yards; he did not see a lot of reduction in the figure of 1600 yards, which is 160 truck trips on those narrow winding street. He wanted to introduce a doubt in the minds of the Commission as to whether they can make the Variance findings at all. Regarding Finding A, the General Plan says "result in practical or unnecessary physical hardship inconsistent with the objective of the prevailing General Plan." Not doing a project is a hardship but is it a hardship that is inconsistent with the General Plan. His email picked out three items of the General Plan that they should look at that discouraged this type of building. Finding C talks about privileges enjoyed by the owners of other properties – the house was built next door but that was 700 yards and a 9' wall. He asked the Commission to think carefully about the Variance findings and whether there should be a project there at all.

Jamie DalPorto, resident of Barclay Way directly behind and above the proposed dwelling, was happy to hear the previous comments and also had landslide and geological concerns for her house. She commented that the Commission made sure that the last dwelling proposed was reduced to something that was reasonable to them that did not diminish their property value. She commented that they live in this community because it is one of the last gems in the County and on the Peninsula that has canyons and beautiful scenery, and if you have not had a chance to see what's being built right now she asked them to do that because the house that's currently being built looks very industrial, described by neighbors as a prison, has no windows, is not adding to the beautify of their neighborhood nor does she feel this house would either.

Kevin Sullivan, resident of San Ardo Way down the street from the project, stated that he knows there are difficult sites on San Juan and that have been able to be built without Variances. The current house is imposing and this one is even bigger. Even though there are some fairly tall homes along Monte Cresta, most of them are set back a bit so they're not quite so imposing. Two of these very large homes right next to each other starts to feel more like Continentals than Monte Cresta. He believes there are springs in the area that could be potentially a concern. Parking in the area is also a concern—lots of people park on both sides of the street and he did not see how this house would have the ability to park two people on a driveway at 18%, which will mean more cars parked on the street. He said that it sounds like the footprint is low compared to the size of the property but it feels like it takes up the whole property—it's a lot of hardscape with no softscape in the visible portion of the property. The staircase and retaining wall were also of a particular concern to him.

Commissioners commented as follows:

Commissioner Mayer: Felt that if the house could be built further up where the slope isn't so great it might be a little better. Did not think it is appropriate for a home to be built there, and did not like the one next to it. They are being asked to make two major Variances; one that he did not think he could make. Could not

think of anything that could be done that would mitigate these problems to lead him to approve this project at it now stands.

Commissioner Mercer: Drove by and observed that the soil was starting to slip on the left-hand side – all of the native shrubs that are growing there are leaning out at 90° toward the street and one can see where they have cut away and scooped up the dirt that had already slid into the street. She thought that building on this lot might be the way to stabilize and mitigate a potential slide if it is built right. It is a very difficult and unusual site and requires thinking outside the box when designing a house for it. She pointed out that some of the older canyon sites have homes that were built many years ago, before they could do all of the fancy engineering and excavating used today. They were built with what they could do; some with the home placed way at the back of the lot and all you see at the front is the garage. She believed the lot can be built on but that the house that would be appropriate for this lot would not be like the one proposed. She would rather see the house detached from the garage, which might mean they would have to walk up two flights of stairs to the house at the top of the hill where it is level. The amount of excavation on this site is out of the question and allowing it could be inviting litigation and potential problems because of the risk it may potentially expose to the uphill neighbors and because of the wear and tear and potential damage on the street. She could not approve the cut or the Variance.

Commissioner McKenzie: Did not believe this looked like any of the good design samples in the design guidelines. It is very stark and massive and reminded him of a World War II fortress on the Pacific Coast. Agreed with Commissioner Mercer that you can not just take an extremely difficult building lot like this and plop a conventional house on top of an underground garage. It just is not an appropriate use and it demands much more creative thinking about how to design and position a home on this kind of property. There needs to be some thought given to better softening the look of the house, maybe stepping it up the hill some, setting back, sequential floor, but it needs to be softened into the hillside. Making it all the more stark is the absence of any landscaping in the design concept. Not sure there was any place to plant landscaping or trees – they'd have to go into concrete. He concluded that this demands a whole lot more creative approach if this were to be approved by the panel. This is not the kind of design he wanted to see in Belmont.

Commissioner Horton: Could not make any of the findings. She saw a concrete box set into the hillside and a house plunked in it. It is not appropriate, not at all creative and looked bad. Would not begin to dream of a Variance with a 19' high retaining wall in front of it. The house is 40' high standing in the driveway and that is what is visible to people walking down the street. The one next door is also a massive structure. They are going to have to step it back, put it at the top of the hill. There are many, many different ways of doing it or they're just going to have to decide that they just can't build on this hill. It's an expensive proposition that needs a whole lot more creativity; at this point she would not even begin to approve it.

Acting Chair Frautschi: There is no way he would approve this design. He did not feel they should be issuing permits to build homes on 52% sloped lots in PS (potential shallow) landslide failure and PD (potential deep) landslide zones even though they might be able to mitigate hazards. This project in its current rendition is one of the most tortured he had ever seen. Cutting away 1632 cubic yards of a hillside is unconscionable to him – that would be 164 truckloads of a hill they are proposing to haul away. Geologists generally contend that almost any site can be built on and in this case they said this site is constrained by precipitous steep slopes located adjacent to the street, local bedrock materials with multiple plains of weakness, and requirements for high, temporary cut slopes during project construction. The proposed residence is additionally constrained by the potential for slope instability associated with an existing landslide. Potential slope instability appears to be a primary concern for a portion of the proposed driveway. The site grading needs to be drastically reduced, but there is no way to drastically reduce it even if they increase the slope of the driveway 11.6% to 18%. Even if they eliminated the patios and retaining walls there's still a lot of problems. They are proposing a 280-sq.ft. concrete patio on the left side as well as a 431 sq.ft. deck and patio on the rear of the home. This hardscape needs to be totally eliminated from any future renditions in the rear of the home. This would then eliminate the need for an additional tall retaining wall or a series of a low terraced retaining wall, which I think one of the geologists might have recommended. The landscape plan must include native species, heritage trees, and creatively address mitigating, though he thought it was an impossible task. Suggested keyholes for climbing plant species for columnar tall and thin growing species such as podocarpus as well as trellising hanging treatments from the areas above. The current design is unbelievably bulky as it appears tall, narrow and top-heavy from the street view. It's basically a box within a dug out box. The encroachment easement Variance could possibly be eliminated by reworking the entrance to the home from the left side of the structure where the kitchen is

currently located by flipping the floor plan for the kitchen and the living room, thus eliminating the need for a long front catwalk exterior deck in entering the home from the current area of the proposed left patio. He also suggested that they think about expanding the home in the area of the proposed patio to broaden and narrow the footprint of the main level while trying to visually reduce the appearance of the upper floor. This is a challenge. He said he had never said this to an applicant before, but his advice was for the applicant to drop the project. He had never seen a property with such challenges and would be hard pressed to see how 1) they could deal with them, and 2) how he could support it.

CDD de Melo thanked the Commission and agreed to forward the comments to the applicant and will be meeting with them to talk about next steps for the project.

7. REPORTS, STUDIES AND UPDATES

CDD de Melo reported as follows:

7A. 500 Block – El Camino Real (East Side)

Staff continues to investigate the issues surrounding the removal of the trees along El Camino Real. Will keep the Commission posted on future agendas as to progress on this issue.

7B. Motel 6 – 1101 Shoreway Road

No significant update relative to Motel 6 security. January is targeted as a month when staff will be approaching a check-in from the security detail of Motel 6 relative to the site. The City continues to work economic development-wise on that property.

7C. 2996 Hallmark Drive

No Discussion

7D. NDNU (Koret) Athletic Field

We have an issue on any further discussion of this item because a number of Commissioners have to recuse themselves and the four that were selected have been reduced to three because Commission Wozniak is now Councilmember Wozniak, and they need to select a fourth to even conduct business due to lack of a quorum. Will have a more updated report for the January 15th meeting and will have an election of a fourth Commissioner at that time.

The first meeting of January is cancelled - there will be a full slate of items for the January 15th meeting, most likely one of which will be the condominium conversion project at 1000 South. There is a model in the office and Commissioners were encouraged to drop by the office to look at it.

Commissioner Mayer asked for the date for the moving of the Emmett House. CDD de Melo stated that it is scheduled for January 14th. The foundation will be constructed after the house is moved.

Commissioner McKenzie asked if there is any potential problem with having enough Commissioners for the January 15th meeting because he is scheduled to be out of town. CDD de Melo did not believe there were any conflicts related to the remaining five on 1000 South but again at that meeting we have to do the NDNU item. Commissioner McKenzie said he could make different arrangements if necessary.

8. CITY COUNCIL MEETING OF TUESDAY, JANUARY 8, 2007

Liaison: Commissioner Mercer

Alternate Liaison: Vice Chair Frautschi

9. ADJOURNMENT:

The meeting was adjourned at 10:00 p.m. to a Regular Planning Commission Meeting on Tuesday, January 15, 2008 at 7:00 p.m. in Belmont City Hall. The January 1, 2008 meeting is cancelled.

Carlos de Melo
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the
Community Development Department.
Please call (650) 595-7416 to schedule an appointment.